

Notice of Allowability

Application No.

09/503,477

Examiner

Dave Czekaj

Applicant(s)

SHIYAMA, HIROTAKA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/23/05.
2. ☒ The allowed claim(s) is/are 1-6, 8-28 and 30-57.
3. ☒ The drawings filed on 26 May 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jonathan Berschadfky on 7/27/05.

The application has been amended as follows:

In claim 1

After line 6

Add - - sequential label set accumulation means for accumulating the sequential label set generated by said sequential label set generation means in connection with the frame image data - -

After line 12

Add - - wherein said scene change detection means detects a frame corresponding to the generated sequential label set as the scene change frame, when a plurality of similarities computed by said similarity computation means are less than a predetermined value - -

In claim 12

After line 8

Add - - sequential label set accumulation means for accumulating the sequential label set generated by said sequential label set generation means in connection with the frame image data - -

After line 22

Add - - wherein said scene change detection means detects a frame corresponding to the generated sequential label set as the scene change frame, when a plurality of similarities computed by said similarity computation means are less than a predetermined value - -

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

Wang discloses a system that searches images having a particular attribute and classifying the images according to their attributes (Wang: column 1, lines 6-10). This system comprises "extracting frame image data from moving image data, segmenting the frame image data into blocks, and assigning labels in accordance with feature amounts obtained in units of blocks" (Wang: figure 2a, item 201, wherein the video is inputted into the system, column 10, lines 42-43, wherein the frames are extracted, column 10, lines 23-25, wherein the images are segmented into blocks, column 11, lines 22-24, wherein the labels are the summary files that identifies images from each scene, figure 3, item 303, wherein examples of the features are the color histogram and texture), "accumulating the sequential label set" (Wang: column 11, lines 23-24, wherein the labels are the summary files that identifies images from each scene, the

labels are stored/gathered or accumulated in the file), "computing similarities between the generated sequential label set and the label sets of a previous frame" (Wang: figure 10, wherein the labels are searched and compared against a threshold to determine the similarity between them), "detecting a scene change frame from a group of computed similarities" (Wang: figure 1, item 127), and "means for storing information of the detected scene change frame" (Wang: figure 1, item 107). However this apparatus lacks generating a label set by arranging the label in a predetermined order and detecting a scene change from a plurality of similarities as claimed. This apparatus further lacks the penalty table and DP matching as claimed. A further search was conducted which failed to yield any prior art. Therefore, the prior art fails to teach or render obvious these limitations taken within the others in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Monday - Friday 9 hours.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJC


JULIE
PRIMARY EXAMINER